

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 17-20 and 23-40 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

Rejection of claim 21 based on 35 U.S.C. 112

Claim 21 is rejected under 35 U.S.C. 112, second paragraph for allegedly being indefinite. Claim 21 has been canceled, which renders the rejection of this claim moot. For at least this reason, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 17-18, 20, 23-24, 27, and 30-38 based on Bauer

Claims 17-18, 20, 23-24, 27, and 30-32 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Application Publication 2001/0010423 ("Bauer"). Claims 33-38 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bauer. For at least the following reasons, this rejection is traversed.

Claim 17 (as amended) recites, among other things, a method for producing a weakening zone on a component for deployment of an airbag device, comprising the steps of providing a textile surface structure for the component; and introducing a plurality of holes into threads of the textile surface structure to define the weakening zone. Spacing from hole center to hole center of adjacent holes in the texture surface structure differs from spacing from thread center to thread center of adjacent threads. The spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads.

Bauer does not teach or suggest the combination of features of claim 17. For instance, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. The claimed spacings in claim 17 (i.e., the specific distance between the hole centers relative to the distance of the thread centers) ensures that a large number of successive laser treatments

in the thread are not rendered ineffective by coinciding with thread interspaces, thus preventing the weakening of the textile surface structure. In contrast, Bauer merely discloses the laser scoring of textile layer 92 to form a groove (Fig. 13 and paragraph 0094 of Bauer) and a series of round perforations 124 in a cover 128 (Fig. 17 and paragraph 0103 of Bauer). However, the cover 128 is not specified to be a textile layer. Furthermore, no dimensions related to the spacing of the threads relative to the holes is provided in Bauer that would lead to the claimed spacings recited in claim 17. Thus, claim 17 is allowable over Bauer.

Claim 30 (as amended) recites, among other things, a method for producing a vehicle component having an airbag exit flap comprising the steps of: providing a foam layer and a textile surface structure; introducing a plurality of holes into the foam layer by applying laser treatment; and introducing a plurality of holes into threads of the textile surface structure by applying laser treatment. Spacing from hole center to hole center of adjacent holes in the texture surface structure differs from spacing from thread center to thread center of adjacent threads. The spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Bauer does not teach or suggest the combination of features of claim 30. For instance and as previously described, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Thus, claim 30 is allowable over Bauer.

Claim 35 (as amended) recites, among other things, a method for producing a vehicle trim component having an airbag exit flap comprising the steps of: providing a foam layer, a textile surface structure, and a supporting element; introducing a plurality of holes to the supporting element; joining the foam layer to the textile surface structure; introducing a plurality of holes to the foam layer by applying laser treatment, then; introducing a plurality of holes to threads of the textile surface structure by applying laser treatment; and laminating the foam layer and the textile surface structure to the supporting element so that the holes in the foam layer, textile surface structure, and supporting element substantially coincide. Spacing from hole center to hole center of adjacent holes in the texture surface structure differs from spacing from thread center to thread center of adjacent threads. The spacing from hole center

to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Bauer does not teach or suggest the combination of features of claim 35. For instance and as previously described, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Thus, claim 35 is allowable over Bauer.

Claims 18, 20, 23-24, 27, 31-34, and 36-38 depend from and contain all the features of claim 17, 30, or 35, and are allowable for the same reasons indicated above, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 19 and 21-22 based on Bauer and Hagenow

Claims 19 and 21-22 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bauer and U.S. Patent 5,632,914 ("Hagenow"). For at least following reasons, this rejection is traversed.

Claim 19 depends from and contains all the features of claim 17. As previously mentioned, Bauer does not teach or suggest all the features of claim 17. For instance, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads.

Hagenow does not cure the deficiencies of Bauer. First, Hagenow does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Indeed, Hagenow relates to a tear seam in a laminated structure comprising a thin soft elastic plastic skin 26, an intermediate soft plastic foam layer 28, and a rigid plastic retainer or substrate 30. (Column 4, lines 16-32 of Hagenow.) The skin 26 may be formed of a thermoplastic material such as

vinyl, thermoplastic olefin (TPO), thermoplastic polyurethane (TPU) and polyvinyl chloride (PVC) or a thermosetting plastic material such as spray urethane. (Column 4, lines 33-40 of Hagenow.) This skin 26 of Hagenow is obviously a foil, not a textile. Because Hagenow does not even teach a textile, it cannot teach the claimed spacings of claim 17 related to the thread center to thread center of adjacent threads. Because neither Bauer nor Hagenow teaches or suggests the claimed spacings of claim 17, claim 17 and its dependent claim 19 are allowable.

In addition, because the skin 26 of Hagenow is obviously a foil, not a textile, one of ordinary skill in the art would not consider the teachings of Hagenow to be transferable to the textile material of Bauer. Indeed, the distance between the holes of Hagenow in any of the configurations shown in FIGS. 4A-4E of Hagenow will not lead to a reliable weakening of textile. Therefore, any modification of the method of Bauer based on the teachings of Hagenow are improper. Claim 17 and its dependent claim 19 are then allowable over Bauer and Hagenow.

The PTO has asserted that (in relation to claims 21-22 which have been substantially incorporated into claim 17):

Hagenow does disclose that the spacing of the holes correlates to the reduced tensile strength of the substrate (column 6, lines 23-30). Therefore, it would have been within the skill of the ordinary artisan to adjust the amount of the proprietary additive to the feedstock along with thermal spray temperature of the process to yield thicker or thinner films. *Discovery of optimum value of result effective variable in known process is ordinarily within skill of art. In re Boesch*, CCPA 1980, 617 F.2d 272, 205 USPQ215. (Page 5 of the Office Action)(emphasis in original.)

The PTO's assertions related to the "adjustment of the amount of the proprietary additive to feedstock" are not relevant to the present application, Bauer, or Hagenow and is not an issue related to the claimed method.

As far as the assertion related to the discovery of optimum values of a results effective variable is considered, a rejection based on this premise is improper. According to MPEP 2144.05, "[a] particular parameter must first be recognized as a result-effective variable, i.e., a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation. *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977)" In the present case, the PTO has not presented any prior art establishing that the claimed spacings as set forth in claim 17 are

result-effective variables. The mere assertion that there is a discovery of optimum values of result effective variables cannot, by itself, support an obviousness rejection without any supporting prior art that teaches that the spacing from hole center to hole center of adjacent holes in the texture surface structure relative to the spacing from thread center to thread center of adjacent threads is a results effective variable. Because the rejection based on the discovery of optimum values is improper, claim 17 and its dependent claim 19 are allowable.

Claims 21-22 have been canceled, which renders the rejection of these claims moot.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claim 28 based on Wu and Bauer

Claim 28 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent 6,254,122 (“Wu”) and Bauer. For at least following reasons, this rejection is traversed.

Claim 28 depends from and contains all the features of claim 17. As previously mentioned, Bauer does not teach or suggest all the features of claim 17. For instance, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Wu does not cure the deficiencies of Bauer. Because neither Wu nor Bauer teaches or suggests the claimed spacings of claim 17, claim 17 and its dependent claim 28 are allowable.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claim 29 based on Kim and Bauer

Claim 29 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Application Publication 2002/0047252 (“Kim”) and Bauer. For at least following reasons, this rejection is traversed.

Claim 29 depends from and contains all the features of claim 17. As previously mentioned, Bauer does not teach or suggest all the features of claim 17. For instance, Bauer does not teach or suggest that the spacing from hole center to hole center of adjacent holes in the texture surface structure differs from the spacing from thread center to thread center of

adjacent threads and that the spacing from hole center to hole center of adjacent holes is 0.6 to 0.75 times the spacing from thread center to thread center of adjacent threads. Kim does not cure the deficiencies of Bauer. Because neither Kim nor Hagenow teaches or suggests the claimed spacings of claim 17, claim 17 and its dependent claim 29 are allowable.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Allowability of claims 39-40

Claim 25 has been indicated to be allowable if rewritten in independent from including all of the limitations of the base claim and any intervening claims. Claim 25 has been so rewritten as claim 39. Claim 40 depends from and contains all the features of claim 39, and is allowable for the same reasons, without regard to the further patentable features contained therein. For at least these reasons, allowance of claims 39-40 are respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5349
Facsimile: (202) 672-5399

By Matthew J. Kremer

Matthew J. Kremer
Attorney for Applicants
Registration No. 58,671